

## **REMARKS**

### **I. INTRODUCTION**

Claims 1-13 have been amended. Thus, claims 1-13 remain pending in the present application. No new matter has been added. In light of the above amendments and the following remarks, Applicant respectfully submits that all presently pending claims are in condition for allowance.

Claims 1-11 and 13 are amended for non-statutory reasons: to correct one or more informalities, remove figure label number(s), and/or to replace European-style claim phraseology with American-style claim language. No new matter is added.

The Applicants note that the Examiner for the 35 U.S.C. § 103(a) rejections has used the exact same citation from the prior art reference Eldridge for each and every element of every presented claim, *i.e.*, Figs 1-2, col. 1-2 and 4-6. The Examiner has not provided the Applicants with any specific guidance as to how the prior art teaches or suggests the recitations of the presently pending claims. Applicants respectfully remind the Examiner that “[t]he goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity.” (*See* MPEP 706). Thus, if Applicants below reply fails to place the application in condition for allowance, the Applicants respectfully request that the Examiner provide a second Non-Final action that clearly articulates the rejection based on the prior art.

### **II. THE CLAIM OBJECTION SHOULD BE WITHDRAWN**

Claims 1-13 stand objected to for informalities, mainly that the claims contain bracketed reference characters. In view of the amendment to the claims, the withdrawal of this objection is respectfully requested.

### **III. THE 35 U.S.C. § 101 REJECTION SHOULD BE WITHDRAWN**

Claim 12 stands rejected under 35 U.S.C. § 101 for being directed towards non-statutory subject matter. Claim 12 has been amended in accordance with the Examiner's suggestion. Applicant, therefore, respectfully requests the withdrawal of this rejection.

### **IV. THE 35 U.S.C. § 103(a) REJECTION SHOULD BE WITHDRAWN**

Claims 1-13 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Eldridge (U.S. Patent No. 6,601,102).

Claim 1, as amended, recites, "the system being arranged to perform operations including at least one of delete, read, write, and rearrange data content associated with said at least one token to read from said at least one token using the token interfacing means details of said data content to identify said data content and/or to record on said at least one token using the token interfacing means one or more details of said operations so that said one or more details are optically readable from said at least one token when user-inspected, *said at least one token being a representation in tangible form of corresponding data content stored in the data store.*"

Eldridge discloses a system for "transmitting document references or tokens between users of integrated wireless and wire-based communication services." (*See Eldridge*, Abstract). The tokens are used as references to original documents to avoid the relatively larger size of the documents. (*See Id.*, col. 2, ll. 9-15). Eldridge explicitly discloses that these document tokens are "a superset of a Uniform Resource Locator (URL) because document tokens include security elements for authentication." (*See Id.*, col. 5, ll. 9-12). One of ordinary skill in the art would understand that such a token is a purely electronic token. In contrast, claim 1 recites the token is a "*a representation in tangible form of corresponding data content stored in the data store.*" According to the Merriam-Webster Dictionary, "tangible" is defined as "capable of being perceived especially by the sense of touch." Furthermore, in light of the specification, it is clear the claimed data token is embodied as, for example, a card 80. (*See Specification*, ¶¶ [0057]-[0059]). Accordingly, Eldridge fails to disclose or suggest "*said at least one token being*

*a representation in tangible form of corresponding data content stored in the data store,”* as recited in claim 1. Applicant, therefore, respectfully submits that the rejection of claim 1 and its dependent claims 2-11 should be withdrawn.

Claim 12 also recites, “*said at least one token being a representation in tangible form of corresponding data content stored in the data store.*” Therefore, for at least the foregoing reasons present with regards to claim 1, it is respectfully submitted that the rejection of claim 12 should be withdrawn.

Claim 13 also recites, “*said at least one token being a representation in tangible form of corresponding data content stored in the data store.*” Thus, for at least the foregoing reasons present with regards to claim 1, it is respectfully submitted that the rejection of claim 13 should also be withdrawn.

**CONCLUSION**

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner contact the applicant's attorney, so that a mutually convenient date and time for a telephonic interview may be scheduled for resolving such issues as expeditiously as possible.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

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